

1 THE HONORABLE RICARDO S. MARTINEZ
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7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
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12 ANGELA HOGAN, on behalf of herself and
13 others similarly situated,
14

15 Plaintiff,

16 v.
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18 AMAZON.COM, INC.,
19

20 Defendant.
21

22 ANDREA SEBERSON,
23

24 Plaintiff,
25

26 v.
27

28 AMAZON.COM, INC.,
29

30 Defendant.
31

32 Case No. 2:21-cv-00996-RSM
33

34 **STIPULATED MOTION AND
35 ORDER TO EXTEND DEADLINE
36 FOR CLASS CERTIFICATION**

37 **NOTED FOR CONSIDERATION:
38 JANUARY 21, 2022**

39
40 The parties, by and through their counsel, stipulate and agree as follows:

41 1. Plaintiff Angela Hogan initially filed this lawsuit on July 26, 2021.

42 2. On September 1, 2021, the Court entered a stipulated order [Dkt. 17]

43 consolidating this case with *Seberson v. Amazon.com, Inc.*, Case No. 2:21-cv-01009 (“Stipulated
44 Order”).
45

46 STIPULATED MOTION AND ORDER TO
47 EXTEND DEADLINE FOR CLASS
48 CERTIFICATION - 1

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1 3. As permitted by the Stipulated Order, Plaintiffs will file their consolidated
2 amended complaint on or before February 2, 2022.

3 4. Plaintiffs intend to seek to certify a nationwide class of all persons who, on or
4 after January 1, 2013, purchased an item through Amazon's Buy Box, and the order was then
5 shipped (or fulfilled) by Amazon.

6 5. Under Local Rule 23(i)(3), the presumptive deadline for Plaintiffs to file a
7 motion for class certification is 180 days from the date of filing, absent a Court order
8 deferring the deadline. If set by the original filing, the deadline is January 24, 2022.

9 6. Good cause exists to extend the presumptive class certification deadline
10 because the Stipulated Order extended the deadline for Amazon to respond to the complaint
11 and for the parties' respective briefing on any motion to dismiss. That motion will not be
12 fully briefed for several months, well past the expiration of the January 24, 2022 deadline for
13 the class certification motion established by Local Rule 23(i)(3).

14 7. Good cause also exists to extend the presumptive class certification deadline
15 because the issues raised in the consolidated amended complaint will require discovery
16 before Plaintiffs can file their class certification motion, and any expert reports filed in
17 connection with the class certification motion will need to be grounded in facts disclosed
18 during discovery.

19 8. Having met and conferred, the parties have therefore agreed, subject to the
20 Court's approval, to stipulate to request the Court to vacate the current class certification
21 deadline prescribed by the local rule. The parties further agree that if the Court denies
22 Amazon's motion to dismiss Plaintiffs' consolidated amended complaint, they will propose a
23 class certification-briefing schedule promptly following the Court's disposition of the
24 motion.

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27 STIPULATED MOTION AND ORDER TO
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CERTIFICATION - 2
Case No. 2:21-cv-00996-RSM

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1 RESPECTFULLY SUBMITTED AND DATED this 24th day of January, 2022.
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27 STIPULATED MOTION AND ORDER TO
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CERTIFICATION - 3
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28 STIPULATED MOTION AND ORDER TO
29 EXTEND DEADLINE FOR CLASS
30 CERTIFICATION - 4
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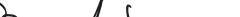
ORDER

Pursuant to stipulation, IT IS SO ORDERED.

3 The Court hereby vacates the January 24, 2022 deadline for Plaintiffs to file their
4 motion for class certification.

5 The parties shall propose a class certification briefing schedule promptly following
6 disposition of Amazon’s motion to dismiss Plaintiffs’ consolidated amended complaint,
7 should the Court deny that motion.

DATED this 24th day of January, 2022.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

**STIPULATED MOTION AND ORDER TO
EXTEND DEADLINE FOR CLASS
CERTIFICATION - 5
Case No. 2:21-cv-00996-RSM**

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